

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, April 5, 2005, the following members were present:

Greg Jergeson, Chairman  
Brad Molnar, Vice Chairman  
Doug Mood, Commissioner  
Robert H. Raney, Commissioner  
Thomas J. Schneider, Commissioner

APPEARANCE  
Dave Burchett

(138) In the matter of Avista Energy, Inc. N2005.3.33 - Docket No. N2005.3.33: On March 21, 2005, Avista Energy, Inc. filed an application for a natural gas supplier license pursuant to Commission rules.

Commissioner Schneider moved to approve Avista Energy's application for a natural gas supplier license in Docket N2005.3.33. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE  
Wayne Budt, Administrator  
Transportation & Centralized Services Division

(139) In the matter of T-04.62.ST: On November 19, 2004 Dan R. and Joyce A. Larson dba Larson Disposal and Transport, Seeley Lake, Montana filed a request to transfer PSC No. 1455 to Larson Disposal and Transport LLC, Seeley Lake, Montana. The sale was noticed to the public on December 6, 2004, a protest was received and later withdrawn.

Commissioner Mood moved to approve the sale and transfer noticed in T-04.62.ST. Commissioner Schneider seconded the motion, which passed unanimously.

(140) In the matter of the approval of Commission Minutes:

Commissioner Mood moved to approve the Commission Minutes for the week of March 28, 2005. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE  
Monica Tranel  
Gary Duncan

(141) In the matter of the Commission's discussion of Qwest Revision to Exhibit A of SGAT - Docket No. D2000.6.80:

Commissioner Schneider moved to approve the SGAT Exhibit A revision to go into effect on April 5, 2005. Commissioner Raney seconded the motion, which passed unanimously.

(142) In the matter of the Commission's discussion of Qwest, OrbitCom Inc. - Docket No.'s D2003.1.5 and D2005.1.6:

Commissioner Schneider moved to approve the amendment incorporating implementation of Batch Hot Cut and UNE-P elimination as amendments to the existing Interconnection Agreement in Docket D2003.1.5. Commissioner Mood seconded the motion, which passed unanimously.

Commissioner Molnar moved to approve the QPP agreement as filed in D2005.1.6. Commissioner Raney seconded the motion, which passed unanimously.

#### APPEARANCE

Wayne Budt

(142) In the matter of the Commission's discussion of staff travel for Joel Tierney:

Commissioner Raney moved to approve travel for Joel Tierney to attend the Gas Integrity Management Training in Denver, CO April 18-22. Commissioner Schneider seconded the motion, which passed unanimously.

(143) In the matter of the Commission's discussion of legislative matters:

Commissioner Raney moved that the Public Service Commission testify in support of SB 115. Commissioner Schneider seconded the motion, which passed unanimously.

#### APPEARANCE

Martin Jacobson, Mike Lee, Will Rosquist

(144) In the matter of the Commission's discussion of D2003.7.86 and D2004.6.96 – NWE QF Avoided Cost Dockets;

Commissioner Schneider moved to direct NWE to respond within 20 days to WHW data requests NEI-027 and WHW-011 by a summary of the price, price behavior through term of contract (e.g., escalation clauses), quantity, and term of each bid received by NWE in the two electric-supply bid requests in 2003 and the one electric-supply bid request in 2004, accompanied by an affidavit of an informed member of NWE's Energy Supply Board, that the information is complete and accurate. If NWE believes the summary will include confidential information, then a motion for protective order must be filed within 7 days. Suspension of the procedural schedule is lifted, the first remaining next procedure, NWE responses to discovery, will be set close to the time by which NWE must respond to WHW-011 and NEI-027.

Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson, Dave Burchett, Kim Moran

(145) In the matter of the Commission's discussion of D2002.11.140, D2003.6.66, D2004.6.88 – NWE Gas Trackers;

Commissioner Raney moved that the “Public Service Commission approve, through final order, the December 1, 2004, Stipulation and Agreement between NorthWestern Energy and Montana Consumer Counsel in PSC Dockets No. D2003.6.66 and D2004.6.88, as filed, with three clarifications, qualifications, or conditions:

- (1) NWE’s natural gas purchasing practices and procurement strategies are settled for purposes of PSC Dockets No. D2003.6.66 and D2004.6.88 and will not be further reviewed for the periods covered by those dockets pursuant to the Stipulation and Agreement.
- (2) Pursuant to the Stipulation and Agreement, part II, item 5 (advisory committee), NWE shall file its proposal regarding natural gas procurement no later than June 15, 2005, and preferably as part of NWE’s annual gas tracker true-up filing.
- (3) Settlement agreeable to NorthWestern Energy and the Public Service Commission is reached in NorthWestern Energy’s pending judicial review of the final order in PSC Docket D2002.11.140, Montana First Judicial District, Cause No. CDV-2003-443.”

Commissioner Mood seconded the motion, which passed unanimously.

Commissioner Schneider moved that the draft order be revised to reflect the decisions that we’ve made on the substantive conditions that were unanimously approved, and that other editorial revisions be made to the order. Commissioner Raney seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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GREG JERGESON, Chairman

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BRAD MOLNAR, Vice Chairman

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DOUG MOOD, Commissioner

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ROBERT H. RANEY, Commissioner

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THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Connie Jones  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, April 7, 2005, the following members were present:

Greg Jergeson, Chairman  
Doug Mood, Commissioner  
Robert H. Raney, Commissioner  
Thomas J. Schneider, Commissioner

Commissioner Molnar was absent.

APPEARANCE  
Wayne Budt

(146) In the matter of the Commission's discussion of Legislative Matters:

Commissioner Raney moved to support SJR 31. Commissioner Schneider seconded the motion, which passed 4-0.

Commissioner Raney moved to support SJR 39. Commissioner Schneider seconded the motion, which passed 4-0.

There being no further business to come before the Commission the meeting was adjourned.

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GREG JERGSON, Chairman

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DOUG MOOD, Commissioner

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ROBERT H. RANEY, Commissioner

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THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Connie Jones  
Commission Secretary

(SEAL)